

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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CHRISTOPHER COXON,

Plaintiff,

vs.

Case No.: 2:21-CV-65

Hon. Paul L. Maloney

Mag. Maarten Vermaat

GS ENGINEERING, INC., et al.

Defendants.

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**STIPULATED PRELIMINARY INJUNCTION**

Plaintiff Christopher Coxon and Defendants, through their counsel, agree and stipulate to the entry of a preliminary injunction as follows:

A. Plaintiff filed a Motion for Preliminary Injunction and Supplemental Brief in support (ECF Nos 3, 35).

B. Defendants filed various Memorandums in Opposition to Plaintiffs' Motion for Preliminary Injunction, (ECF Nos. 11, 29, 31).

C. The parties now stipulate to a Preliminary Injunction Order.

D. The terms reflected in the below Order represent only a resolution of Plaintiff's Motion for a Preliminary Injunction. The parties stipulate and agree to the entry of a preliminary injunction without any admission of wrongdoing or violation of the law. This Stipulated Order does not preclude Defendants from asserting any defense to Plaintiffs' claims, nor does it preclude Plaintiffs' from asserting any of their claims against Defendants.

By stipulation of the parties, it is ORDERED that:

1. Plaintiffs' Motion for Preliminary Injunction is granted in part according to the following terms and will apply until further order of this Court:

a. Defendants are enjoined from selling or disposing of GS Engineering's stock or assets or taking any acts that would reduce the value of Plaintiff Coxon's ownership interest in GS Engineering and his status as a beneficiary in the ESOP, except that:

i. Defendant GS Engineering Employee Owned Stock Plan will upon reaching an agreement with Defendant Glen Simula be permitted to purchase an amount of Defendant Simula's shares, not to exceed 17,500, for an amount to be determined by valuation (the "Stock Sale"). The valuation being performed will be shared with Plaintiff Coxon at least 7 days prior to the Stock Sale.

ii. Defendant GS Engineering shall pay 65% of the Stock Sale's proceeds into an interest bearing client trust account at Kreis Enderle Hudgins & Borsos, to be held in escrow until the matter of stock ownership in the instant case is resolved. Plaintiff's counsel will be given proof of the deposit of said funds following the Stock Sale.

iii. The remaining 35% of proceeds received from the Stock Sale shall be released to Glen Simula without restrictions on its use.

b. No bond shall be required for purposes of securing this injunctive relief.

2. All restrictive covenants set forth in Sections 9(b)–(d) of the Employment Agreement between the parties signed December 27, 2011 and with an effective date of January 1, 2011 are terminated immediately.

3. The parties agree to submit this case to facilitative mediation with Lee Silver, Esq.,

within sixty (60) days of entry of this Order, or as soon thereafter as may be arranged with Mr. Silver in light of his schedule.

4. The Rule 16 Scheduling Conference previously set for July 19, 2021 shall be adjourned until after mediation.

5. Mr. Coxon's pending motion to disqualify Warner Norcross as defense counsel in this matter (ECF No. 44) shall be adjourned until after mediation.

**IT IS SO ORDERED**

/s/ Paul L. Maloney  
**PAUL L. MALONEY**  
**UNITED STATES DISTRICT JUDGE**

Dated this 3rd day of August, 2021.

**APPROVED AS TO FORM AND CONTENT:**

Dated: August 2, 2021

/s/ Bruce A. Courtade  
Bruce A. Courtade (P41946)  
Rhoades McKee, PC  
55 Campau Ave., N.W., Ste. 300  
Grand Rapids, MI 49503  
(616) 235-3500  
[bcourtade@rhoadesmckee.com](mailto:bcourtade@rhoadesmckee.com)  
*Attorneys for Plaintiff*

Dated: August 2, 2021

/s/ Madelaine C. Lane  
Madelaine C. Lane (P71294)  
Warner, Norcross + Judd, LLP  
150 Ottawa Ave NW Ste 1500  
1500 Warner Building  
Grand Rapids, MI 49503-2832  
(616) 752-2500  
[mlane@wnj.com](mailto:mlane@wnj.com)  
*Attorneys for Lynn Eliason And GS Defendants*

Dated: August 2, 2021

/s/ Robb S. Krueger

Robb S. Krueger (P66115)

Kreis Enderle Hudgins & Borsos, PC

P.O. Box 4010

Kalamazoo, MI 49003

(269) 324-3000

[rkrueger@kreisenderle.com](mailto:rkrueger@kreisenderle.com)

*Co-Counsel for Defendant Glen Simula*